



MACKIE
SHEA
O'BRIEN^{LLP}

COUNSELORS AT LAW

420 Boylston Street, Boston, MA 02116 • p 617 266 5700 f 617 266 5237

www.lawmso.com

US EPA RECORDS CENTER REGION 5



426629

January 13, 2012

VIA ELECTRONIC MAIL AND FIRST CLASS MAIL

Michelle Kerr, Remedial Project Manager
U.S. Environmental Protection Agency – Region 5
Superfund Division (SR-6J)
77 West Jackson Blvd.
Chicago, Illinois 60604-3590
kerr.michelle@epa.gov

Re: Response to General Notice Letter for Chemetco Superfund Site in Hartford, Illinois

Dear Ms. Kerr:

I am writing in response to the General Notice Letter issued to Paul Mattuchio, Inc. (“Mattuchio”) by the U.S. Environmental Protection Agency (“EPA”) dated November 30, 2011, with respect to the Chemetco Superfund Site in Hartford, Illinois (the “Site”).

Mattuchio is still in the process of gathering information to understand its relationship to the Site. On behalf of Mattuchio, we made a request to the EPA on January 9, 2012 for all documents that it relied on in its determination that Mattuchio was a potentially responsible party (“PRP”) for the contamination at the Site. That request was given Freedom of Information Act (“FOIA”) Request number 05-FOI-00400-12 and assigned to the Superfund Division, Office of Regional Counsel. We await a timely and fulsome report to the request. In response to an earlier request, we received the Informational DVD for the Site on Friday, January 13, 2012. Working with Mattuchio and EPA, we will continue to gather information to assess and evaluate Mattuchio’s relationship to the Site and any potential defenses.

Since we are actively engaged in addressing the issues raised in the General Notice Letter, as expanded upon during the December 20, 2011 conference call, at this early stage of our investigation and involvement with the Site, we cannot make a final determination with respect to Mattuchio’s role as a PRP, including any current commitment to contribute towards the payment of response costs at the Site. However, while we continue to evaluate the claims against Mattuchio related to the Site, we are willing to participate in future discussions with the EPA and other PRPs. In addition, we intend to comply with the Information Request that accompanied the General Notice Letter by providing a formal response to the Information Request by February 3, 2012, pursuant to an extension granted by your office on Tuesday, December 27, 2011.

Michelle Kerr, Remedial Project Manager
January 13, 2012
Page 2



Please do not hesitate to contact me. Thank you for your cooperation.

Sincerely,

A handwritten signature in blue ink, reading "Peter F. Durning", is positioned above the printed name.

Peter F. Durning

cc: John F. Shea, Esq.
Paul Mattuchio